

REED SMITH LLP  
Christopher A. Lynch  
599 Lexington Avenue, 22<sup>nd</sup> FL  
New York, New York 10022  
Tel: (212) 521-5400  
Fax: (212) 521-5450  
Email: clynch@reedsmith.com

*Attorney for Wells Fargo Bank, N.A.*

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT NEW YORK

IN RE:

SANDRA PAGE,

Debtor.

Chapter 13

Case No. 15-13261 (CGM)

SANDRA PAGE,

Plaintiff,

v.

WELLS FARGO BANK, N.A.,

Defendant.

Adv. Pro. No. 18-01140 (CGM)

**NOTICE OF DEFENDANT WELLS FARGO BANK, N.A.'S  
MOTION TO DISMISS PLAINTIFF'S COMPLAINT**

**PLEASE TAKE NOTICE** that, upon the annexed Memorandum of Law (the "Brief") and the Affirmation of Christopher A. Lynch, with accompanying exhibits, and upon the papers and proceedings herein, defendant Wells Fargo Bank, N.A. ("Wells Fargo") will move before the Honorable Cecilia G. Morris, United States Bankruptcy Court Judge, at the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York 10004, **on July 12, 2018 at 9:40 a.m. (Eastern Time)**, or as soon thereafter as counsel may be heard, for an order (i) dismissing the complaint filed by plaintiff Sandra Page for lack of

subject matter jurisdiction pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure (the “Federal Rules”) and for failure to state a claim upon which relief may be granted pursuant to Rule 12(b)(6) of the Federal Rules, as made applicable to this adversary proceeding by Rule 7012(b) of the Federal Rules of Bankruptcy Procedure; and (ii) granting any other and further relief that may be appropriate under the circumstances (the “Motion”).

**PLEASE TAKE FURTHER NOTICE** that responses or objections, if any, to the Motion must comply with the Federal Rules of Bankruptcy Procedure and the Local Rules of the Bankruptcy Court, must be set forth in a writing describing the basis therefore and must be filed with the Bankruptcy Court electronically in accordance with General Order M-399, by registered users of the Bankruptcy Court’s electronic case filing system (the User’s Manual for the Electronic Case Filing System can be found at [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov), the official website for the Bankruptcy Court) and, by all other parties in interest, in Portable Document Format (PDF), Word Perfect or any other Windows-based word processing format (with a hard copy delivered directly to Chambers) and served upon the following so as to be actually received **no later than July 5, 2018**: Reed Smith LLP, 599 Lexington Avenue, 22<sup>nd</sup> Floor, New York, New York 10022, Attn: Christopher A. Lynch, Esq.

For the reasons set forth in the Brief, Wells Fargo respectfully requests that the Court enter an order granting the Motion and providing such additional relief as the Court deems just and appropriate.

Dated: New York, New York  
June 6, 2018

Respectfully submitted,

REED SMITH LLP

By: /s/ Christopher A. Lynch  
Christopher A. Lynch

599 Lexington Avenue  
New York, New York 10022  
Tel: (212) 521-5400  
Fax: (212) 521-5450  
Email: clynch@reedsmith.com

*Attorney for Wells Fargo Bank, N.A.*